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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,954	08/28/2001	Ulrich Meisen	Mo-6419/LeA 34,865	5188

34947 7590 09/08/2003

BAYER CHEMICALS CORPORATION  
100 BAYER ROAD  
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EXAMINER

RODEE, CHRISTOPHER D

ART UNIT	PAPER NUMBER
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1756

DATE MAILED: 09/08/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Commissioner for Patents**

The information disclosure statement filed 25 August 2003 fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered. The IDS transmittal states that the IDS is being filed before the first Office action. However, the instant application is currently under Final rejection and well after the first Office action. The provisions of 37 CFR 1.97(d)(1) must be complied with for consideration. The fee under 37 CFR 1.97(d)(2) has been charged noting the authorization in the filing transmittal papers for charges under 37 CFR 1.17.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher D RoDee whose telephone number is 703 308-2465. The examiner can normally be reached on most weekdays from 6 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Huff can be reached on 703 308-2464. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-0661.

cdr  
4 September 2003

  
**CHRISTOPHER RODEE**  
**PRIMARY EXAMINER**